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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,378	08/05/2003	Avner Porat	1096	8209

7590

03/11/2005

Donald J. Ersler
725 Garvens Avenue
Brookfield, WI 53005

EXAMINER

NOVOSAD, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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3671

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/634,378

Applicant(s)

PORAT, AVNER

Examiner

Christopher J. Novosad

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/21/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-11 have been canceled.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13 and 21-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what element is being referred to by “that” in the recitation “providing said plow blade with symmetry about a lengthwise centerline such that thereof may plow to the right or to the left by flipping the angled plow assembly over” in claim 13, lines 3-5 and in claim 21, lines 4-6.

It is unclear whether the apparatus plows to the right or to the left due to the presence of “may” in claim 13, line 4 and claim 21, line 5.

The recitation “the angled plow assembly” in claim 13, line 5 and in claim 21, line 6 lacks proper antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Winter.

With respect to claim 12, Winter shows a method of fabricating a manually operated snow plow 100, comprising the steps of:

- orienting a plow blade 500 at an acute angle from an axis (unnumbered) of travel;
- extending at least one pivotal leg 310 from a rear of the plow blade 500;
- forming a front extension blade 550 on substantially a leading end of the plow blade 500;
- extending at least one end blade 530 (Fig. 11) from the plow blade 500; and
- securing pivotally via 230 one end (unnumbered) of a handle 200 to the at least one pivotal leg 310.

As to claim 13, Winter shows the step of providing the plow blade 500 with symmetry about a lengthwise centerline (unnumbered) such that thereof may plow to the right or to the left by flipping the angled plow assembly 100 over.

Regarding claim 14, Winter shows the step of:

- forming a front curved surface (note Fig. 11) on at least a bottom (unnumbered) of the front extension blade 550.

With respect to claim 15, Winter shows the step of:

- forming a rear extension blade 540 (Fig. 11) or 322 (Fig. 4) at a trailing end (unnumbered) of the plow blade 500.

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Regarding claim 16, Winter shows the step of forming a rear curved surface (unnumbered; Fig. 11) or (unnumbered; Fig. 4) on at least a bottom (unnumbered) of the rear extension blade 540 (Fig. 11) or 322 (Fig. 4).

As to claim 17, Winter shows the step of:

forming a trailing extension blade 540 (Fig. 11) or 322 (Fig. 4) on a rear (unnumbered) of the plow 100.

With respect to claim 18, Winter shows the step of:

forming a trailing curved surface (unnumbered; Fig. 11) or (unnumbered; Fig. 4) on at least a bottom (unnumbered) of the trailing extension blade 540 (Fig. 11) or 322 (Fig. 4).

Regarding claim 19, Winter shows the step of providing the handle 200 having a lengthwise body 220 and a handle portion 210, one end of the lengthwise body 220 being pivotally connected via 230 to said at least one pivotal leg 310 and the other end (unnumbered) being terminated with the handle portion 210.

As to claim 20, Winter shows the step of:

forming an end curved surface (unnumbered; Fig. 11) on at least a bottom of the end blade 550.

With respect to claim 21, Winter shows a method of fabricating a manually operated snow plow 100 comprising the steps of:

orienting a plow blade 500 at an acute angle from an axis (unnumbered) of travel, providing the plow blade 500 with symmetry about a lengthwise centerline such that thereof may plow to the right or to the left by flipping the angled plow assembly 100 over;

extending at least one pivotal leg 310 from a rear of the plow blade 500;

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forming a front extension blade 550 on substantially a leading end of the plow blade 500;
extending at least one end blade 530 (Fig. 1) from the plow blade 500; and
securing pivotally via 230 one end (unnumbered) of a handle 200 to the at least one
pivotal leg 310.

Regarding claim 22, Winter shows the step of forming a front curved surface (note Fig. 11) on at least a bottom (unnumbered) of the front extension blade 550.

As to claim 23, Winter shows the step of forming a rear extension blade 540 (Fig. 11) or 322 (Fig. 4) at a trailing end (unnumbered) of the plow blade 500.

With respect to claim 24, Winter shows the step of:

forming a rear curved surface (unnumbered; Fig. 11) or (unnumbered; Fig. 4) on at least a bottom (unnumbered) of the rear extension blade 540 (Fig. 11) or 322 (Fig. 4).

Regarding claim 25, Winter shows the step of:

forming a trailing extension blade 540 (Fig. 11) or 322 (Fig. 4) on a rear (unnumbered) of the plow 100.

As to claim 26, Winter shows the step of forming a trailing curved surface (unnumbered; Fig. 11) or (unnumbered; Fig. 4) on at least a bottom (unnumbered) of the trailing extension blade 540 (Fig. 11) or 322 (Fig. 4).

With respect to claim 27, Winter shows the step of:

providing the handle 200 having a lengthwise body 220 and a handle portion 210, one end 222 of the lengthwise body 220 being pivotally connected via 230 to the at least one pivotal leg 310 and the other end (unnumbered) being terminated with the handle portion 210.

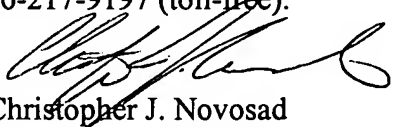
As to claim 28, Winter shows the step of:

forming an end curved surface (unnumbered; Fig. 11) on at least a bottom (unnumbered) of the end blade 550.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Novosad whose telephone number is 703-308-2246. The examiner can normally be reached on Monday-Thursday 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached at 703-308-3870. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher J. Novosad
Primary Examiner
Art Unit 3671

March 7, 2005